

9/28/16

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ROSANNE F. OTT,

Plaintiff,

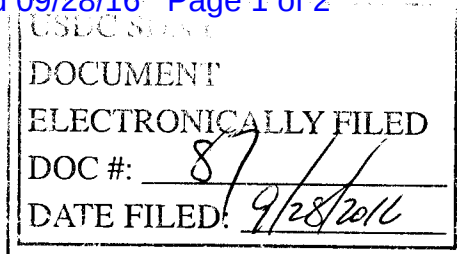
11 **CIVIL** 4418 (LAP)

-against-

**JUDGMENT**

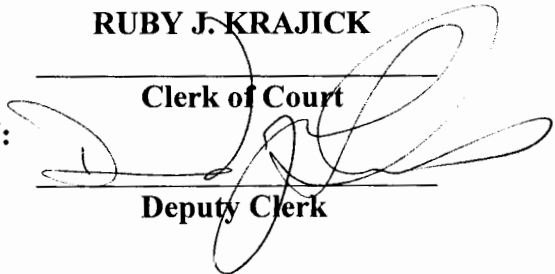
FRED ALGER MANAGEMENT, INC.,  
Defendant.  
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Plaintiff Rosanne F. Ott ("Plaintiff" or "Ott") having brought this action against her former employer Fred Alger Management, Inc. ("Defendant" or "Alger"); Ott alleged that Alger violated the whistleblower protection provision of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank") by retaliating against her for reporting an allegedly unlawful trading policy to the Securities and Exchange Commission ("SEC"); Ott also asserts a claim for breach of contract; Alger moves for summary judgment on both claims; in seeking summary judgment Alger also moves the Court to strike all or parts of the Counter-statement of facts(see P1's counter-statement to Def.'s Statement of Undisputed Material Facts Pursuant to Local Civil Rule 56.1 ("P1's CSOF"), Dec 15, 2015, ECF No. 75) that Ott filed in support of her response in opposition to Alger's motion for summary judgment (see P1's [Am.] Mem. Of Law in Opp'n of Def.'s Mot. For summary judgment ("P1's Resp."), Dec. 15,2015, ECF No. 76.), as well as its related affidavits, of in the alternative to disregard the CSOF and the related declarations for the purpose of deciding Alger's motion for summary judgment, and the matter having come before the Honorable Loretta A. Preska, United States District Judge, and the Court, on September 27, 2016, having rendered its Opinion and Order denying Alger's motion to strike all or part of P1's CSOF, granting Defendant's motion for summary judgment with respect to Plaintiff's retaliation clam and granted with respect to Plaintiff's breach of contract claim; Judgment shall be entered accordingly, it is,



**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated September 27, 2016, Defendant's motion for summary judgment is granted with respect to Plaintiff's retaliation claim, and granted with respect to Plaintiff's breach of contract claim.

**Dated:** New York, New York  
September 28, 2016

**RUBY J. KRAJICK**  
\_\_\_\_\_  
**Clerk of Court**  
**BY:**   
\_\_\_\_\_  
**Deputy Clerk**

THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON 9/28/2016